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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,399	05/25/2000	Christopher E. Pearce	062891.0408	7429

7590 07/22/2005
Baker Botts L L P
2001 Ross Avenue
Dallas, TX 75201-2980

EXAMINER

HARPER, KEVIN C

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 07/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/579,399

Applicant(s)

PEARCE, CHRISTOPHER E.

Examiner

Kevin C. Harper

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 12, 16-22, 24-33, 35-41, 43-49, 51-57, 59 and 60 is/are rejected.
- 7) ☒ Claim(s) 9, 11, 13-15, 23, 34, 42, 50 and 58 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/05</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed October 19, 2004 regarding claims 1-8, 10, 12, 16-22, 24-33, 35-41, 43-49, 51-57 and 59-60 have been fully considered but they are not persuasive. Applicant argued that Oran does not disclose a dialing partition table. However, a dialed number having "9" and an area code of 408 will route the call to a PBX, similar to item 170c of fig. 14 of the present invention. The dialing partition table of Oran is item 32 of fig. 2a, where one partition search space exists for the PBX users (col. 5, lines 41-42). Relating to claim 7, the partition table is an entry 32 of fig. 2a that is used to route a call, such as dialing "9" and an area code of 408, where dialing "7" is associated with a first geographic area -- Oran, col. 5, lines 53-55. In response to arguments of claim 12, the organizations are PBXes where a routing entry is associated with a PBX (col. 5, lines 45-47; note: telephone number is a digit "6" or "7").
2. Applicant's arguments regarding claims 9, 11, 13-15, 23, 34, 42, 50 and 58 have been fully considered and are persuasive. The rejection of claims has been withdrawn.

Drawings

3. Replacement drawings were received on October 19, 2004. These drawings are approved.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-8, 10, 12, 16-22, 24-33, 35-41, 43-49, 51-57 and 59-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Oran (US 6,275,574).

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4. Regarding claim 1, 6-8, 10, 12, 16-21, 24-28, 33, 35-36, 43-48, 51-56 and 59-60, Oran discloses a method of routing calls using dialed number (digit) partitions (fig. 2a; fig. 3, item 32; col. 5, lines 40-50). The method comprises receiving a call request at a call manager (fig. 1, item 18 or 28) from a first device coupled to a packet based network (fig. 1), accessing a dialing partition table based on a partition search space associated with the first device (col. 5, lines 40-50), determining a routing target associated with a telephone number (col. 5, lines 40-46), and communicating the call request to the routing target (col. 6, lines col. 6, lines 56-67). Further regarding claims 45-48 and 51-52, the method is inherently performed using software (fig. 1, item 18, 26 and 28).
5. Regarding claims 2-5 and 29-32, non-IP telephony devices (fig. 1, item 14) utilizing a gateway (item 18) and IP telephony devices (item 24) are in the network.
6. Regarding claims 22, 37-41, 49 and 57, a best phone number match is found for routing (col. 6, lines 56-67).

Allowable Subject Matter

7. Claims 9, 11, 13-15, 23, 34, 42, 50 and 58 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

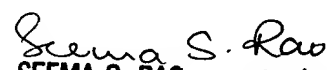
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 571-272-3174. The centralized fax number for the Patent Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin.harper@uspto.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications associated with a customer number is available through Private PAIR only. For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin C. Harper

July 15, 2005



SEEMA S. RAO 7/21/05
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800